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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,634	01/29/2004	Kadri Aygun	TRW(ASG)6925	5396
26294	7590	06/20/2006	EXAMINER	
TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P.			CULBRETH, ERIC D	
1300 EAST NINTH STREET, SUITE 1700			ART UNIT	
CLEVEVLAND, OH 44114			PAPER NUMBER	
			3616	

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/767,634	<b>Applicant(s)</b> AYGUN ET AL.	
	<b>Examiner</b> Eric Culbreth	<b>Art Unit</b> 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-6 and 8-13 is/are rejected.
- 7) ☒ Claim(s) 3 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings were received on 4/7/06. These drawings are not approved because no description of Figure 3 was added to the Brief Description of the Drawings in the specification nor to the Detailed Description of the Invention (i.e., Figure 3 is not mentioned in the specification as amended).

Also, new Figure 3 is not approved because it would result in new matter (there is no support in the specification for the size, location or slope of the lower region and its walls as now illustrated).

It is not necessary to resubmit the drawings; rather, amending the Brief Description of the Drawings to state that Figure 3 is a "schematic" representation of another embodiment of the invention (schematic meaning for illustration purposes only, and not conveying any particular relationships, ratios, or dimensions) and amending the Detailed Description to discuss Figure 3 would make the drawings acceptable.

2. Because the replacement sheet and new sheet were not approved, the objections to the drawings in the first Office Action remain.

### ***Information Disclosure Statement***

3. European Patent 1,155,926 is cited on the enclosed form PTO-892 in order to make it properly of record (it was not listed on a form PTO-1449 when submitted with applicant's last correspondence).

***Specification***

4. The disclosure is objected to because of the following informalities: As noted above, the specification contains no Brief Description of Figure 3 nor does the specification describe Figure 3.

Appropriate correction is required.

***Priority***

5. Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In the last three lines of claim 11 "not obtuse" (both occurrences) are negative limitations.

***Claim Rejections - 35 USC § 103***

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 1-2, 4-6, and 8-13 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumagai et al US007000947B2, newly cited in view of Frisch US006536801B2, of record.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kumagai et al's bag in Figure 9 with a center indentation at 37a and upper region 35 having three substantially straight orthogonal adjoining sections to include being a driver's side bag as taught by Frisch at column 1, lines 5-10 in view of Kumagai et al's teaching at column 4, lines 33-38 that the disclosed airbag can be used any other place than the front passenger seat and Frisch's teaching of using a driver air bag (claim 1). Regarding claims 2 and 9, Kumagai et al teaches in Figures 3B and 15 the upper region sections being connected by curved transition sections having radii smaller than a distance from the center of the indentation. In Figure 9 of Kumagai et al, the widths of the upper and lower regions 35, 37 are equal (claim 4), the vertical height of the upper region 35 is greater than the vertical height of the lower region 37 (claim 5), and alternatively, in Figure 14B of Kumagai et al, the vertical heights of the upper and lower regions are equal (claim 6). In Figure 9, Kumagai et al's outer edge of the lower region 37 has three substantially straight sections (claim 8). In Kumagai et al, the two upper region outer edge sections are parallel (claim 10), and the angles of the three sections of the upper region are not obtuse (claim 11). The upper region only has the three straight sections (claims 12-13). As noted above, since a certified English translation of the foreign priority document has not been submitted, the reference to Kumagai et al applies.

***Allowable Subject Matter***

10. Claims 3 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

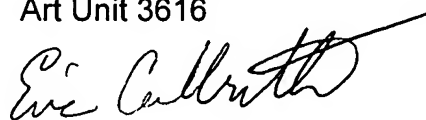
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Culbreth whose telephone number is 571/272-6668. The examiner can normally be reached on Monday-Thursday, 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571/272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

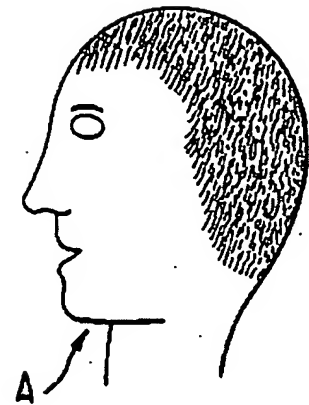
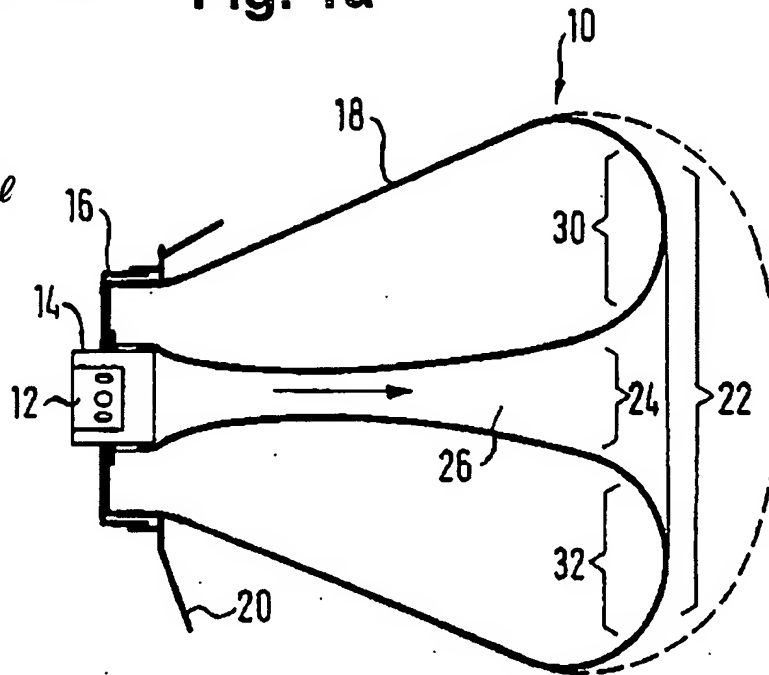
Eric Culbreth  
Primary Examiner  
Art Unit 3616



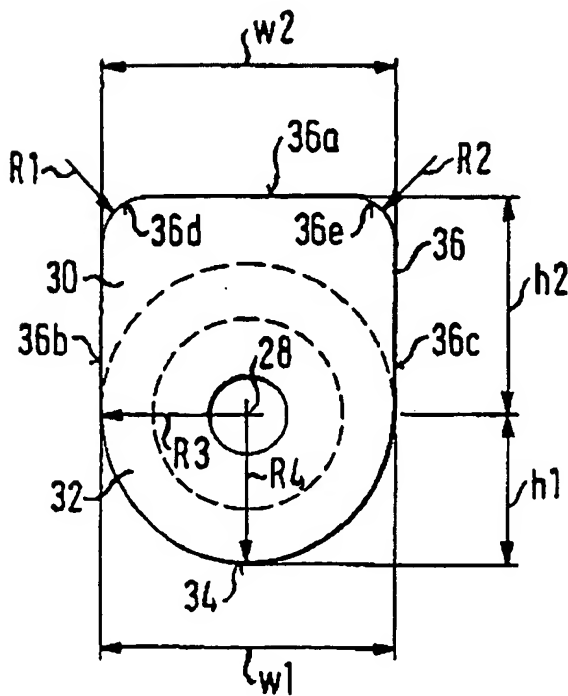
ec

*Not  
 Approved  
 EC  
 6/14/06*

**Fig. 1a**



**Fig. 1b**



**Fig. 2**

